

REMARKS

The Applicants thank the Examiner for the thorough consideration given the present application. Claims 4, 5, 7, 14, and 15 are cancelled herein without prejudice to or disclaimer of the subject matter contained therein. Claims 1-3, 6, 8-13, and 16-21 are pending. Claims 1-3, 6, 8-13, and 16 are amended, and claims 17-21 are added. Claims 1, 6, and 8-10 are independent. The Examiner is respectfully requested to reconsider the rejections in view of the amendments and remarks set forth herein.

Allowable Subject Matter

The Examiner states that claim 9 would be allowable if rewritten to overcome the rejection under 35 U.S.C. § 101, and that claims 5 and 7 would be allowable if rewritten in independent form and to overcome the rejection under 35 U.S.C. § 101.

The Applicants thank the Examiner for the early indication of allowable subject matter in this application. In response,

independent claim 1 has been amended to overcome the rejection under 35 U.S.C. § 101 and to incorporate the allowable subject matter of objected-to claim 5 and intervening claim 4,

independent claim 6 has been amended to overcome the rejection under 35 U.S.C. § 101 and to incorporate the allowable subject matter of objected-to claim 7,

independent claim 8 has been amended to overcome the rejection under 35 U.S.C. § 101 and to incorporate the allowable subject matter of objected-to claim 5 and intervening claim 4,

independent claim 9 has been amended as set forth above in order to overcome the rejection under 35 U.S.C. § 101, and

independent claim 10 has been amended to overcome the rejection under 35 U.S.C. § 101 and to incorporate the allowable subject matter of objected-to claim 5 and intervening claim 4.

Therefore, independent claims 1, 6, and 8-10 are in condition for allowance.

Claim for Priority

The Examiner has acknowledged the Applicants' claim for foreign priority.

Information Disclosure Citation

The Applicants thank the Examiner for considering the reference supplied with the Information Disclosure Statement filed December 30, 2005, and for providing Applicants with an initialed copy of the PTO/SB/08 form filed therewith.

Claim Objections

The Examiner has objected to claim 9 because of an informality. In order to overcome this objection, the Applicants have amended claim 9 to address the issue pointed out by the Examiner. Reconsideration and withdrawal of this objection are respectfully requested.

Substitute Specification

In accordance with MPEP §608.01(q), the Applicants herewith submit a substitute specification, merely to place the specification in a form more typical of U.S. practice. Also included is a marked-up copy of the original specification which shows the portions of the original specification which are being added and deleted. The Applicants respectfully submit

that the substitute specification includes no new matter and that the substitute specification includes the same changes as are indicated in the marked-up copy of the original specification showing additions and deletions.

Because the number of amendments which are being made to the original specification would render it difficult to consider the case, or to arrange the papers for printing or copying, the Applicants have voluntarily submitted this substitute specification. Accordingly, the Applicants respectfully request that the substitute specification be entered into the application.

Rejection Under 35 U.S.C. § 112, first paragraph

Claims 1-9 and 13-15 stand rejected under 35 U.S.C. § 112, first paragraph. This rejection is respectfully traversed.

The Examiner states that the claims are directed to non-statutory subject matter, and that the method claims do not produce a tangible result.

In order to overcome this rejection, the Applicants have cancelled claims 4, 5, 14, and 15, and have amended claims 1-3, 8, 9, 12, and 13 to place them in a form consistent with U.S. practice.

The Applicants respectfully submit that the claims, as amended, are fully supported by and adequately described in the written description of the invention. Accordingly, reconsideration and withdrawal of this rejection are respectfully requested.

Rejection Under 35 U.S.C. § 112, second paragraph

Claims 4, 6, 8, 9, 14, and 15 stand rejected under 35 U.S.C. § 112, second paragraph as being indefinite. This rejection is respectfully traversed.

In order to overcome this rejection, the Applicants have cancelled claims 4, 14, and 15 and have amended claims 8 and 9 to correct each of the deficiencies specifically pointed out by the Examiner. The Applicants respectfully submit that the claims, as amended, particularly point out and distinctly claim the subject matter which the Applicants regard as the invention. Accordingly, reconsideration and withdrawal of this rejection are respectfully requested.

Rejections Under 35 U.S.C. §102(b)

Claim 1-4, 6, 8, and 10-16 stand rejected under 35 U.S.C. §102(b) as being anticipated over Caron (U.S. 5,125,268).

These rejections are respectfully traversed.

Amendments to Independent Claim 1, 6, and 8-10

As noted above, and while not conceding the appropriateness of the Examiner's rejection, but merely to advance prosecution of the instant application,

independent claim 1 has been amended to overcome the rejection under 35 U.S.C. § 101 and to incorporate the allowable subject matter of objected-to claim 5 and intervening claim 4, independent claim 6 has been amended to overcome the rejection under 35 U.S.C. § 101 and to incorporate the allowable subject matter of objected-to claim 7,

independent claim 8 has been amended to overcome the rejection under 35 U.S.C. § 101 and to incorporate the allowable subject matter of objected-to claim 5 and intervening claim 4,

independent claim 9 has been amended as set forth above in order to overcome the rejection under 35 U.S.C. § 101, and

independent claim 10 has been amended to overcome the rejection under 35 U.S.C. § 101 and to incorporate the allowable subject matter of objected-to claim 5 and intervening claim 4.

At least for the reasons explained above, the Applicants respectfully submit that the combination of elements as set forth in each of independent claims 1, 6, and 8-10 is not disclosed or made obvious by the prior art of record, including Caron.

Therefore, independent claims 1, 6, and 8-10 are in condition for allowance.

Dependent Claims

The Examiner will note that dependent claims 4, 5, 14, and 15 have been cancelled, dependent claims 2, 3, and 11-13 have been amended, and dependent claims 17-21 have been added. All dependent claims are in condition for allowance due to their dependency from allowable independent claims, or due to the additional novel features set forth therein.

Accordingly, reconsideration and withdrawal of the rejections under 35 U.S.C. §101, §112, and §102(b) are respectfully requested.

CONCLUSION

Since the remaining patents cited by the Examiner have not been utilized to reject claims, but merely to show the state of the art, no comment need be made with respect thereto.

All of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. It is believed that a full and complete response has been made to the outstanding Office Action, and that the present application is in condition for allowance.

If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, he is invited to telephone Carl T. Thomsen (Reg. No. 50,786) at (703) 208-4030(direct line).

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§1.16 or 1.17, particularly extension of time fees.

Respectfully submitted,
BIRCH, STEWART, KOLASCH & BIRCH, LLP

By 
James M. Slattery
Reg. No. 28,380
P. O. Box 747
Falls Church, VA 22040-0747
(703) 205-8000

JMS/CTT/tg 

Attachment: Substitute Specification